

§ 321.7

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person. Without written authorization of the subject individual, records will not be disclosed to third parties accompanying the subject.

(5) Members of DIS field elements may be given access to records maintained by the field elements without referral to the Office of Information or the records system manager at headquarters. An account of such access will be kept for reporting purposes.

(6) In all requests for access, the requester must state whether he or she desires access in person or mailed copies of records. During personal access, where copies are made for retention, a fee for reproduction and postage may be assessed as provided in § 321.12. Where copies are mailed because personal appearance is impractical, there will be no fee.

(7) All individuals who are not affiliates of DIS will be given access to records in the Office of Information and Legal Affairs, or by means of mailed copies.

[40 FR 55546, Nov. 28, 1975, as amended at 46 FR 35641, July 10, 1981. Redesignated at 56 FR 55631, Oct. 29, 1991, as amended at 56 FR 57802, Nov. 14, 1991]

§ 321.7 Medical records.

(a) *General.* Medical records that are part of DIS records systems will generally be included with those records when access is granted to the subject to which they pertain. However, if it is determined that such access could have an adverse effect upon the individual's physical or mental health, the medical record in question will be released only to a physician named by the requesting individual.

[40 FR 55546, Nov. 28, 1975, as amended at 46 FR 35641, July 10, 1981. Redesignated at 56 FR 55631, Oct. 29, 1991]

§ 321.8 Request for correction or amendment.

(a) *General.* Upon request and proper identification by any individual who has been granted access to DIS records pertaining to himself or herself, that individual may request, either in person or through the mail, that the record be amended. Such a request must be made in writing and addressed to the Office of Information and Legal

Affairs, 1900 Half St., SW, Washington, DC 20324.

(b) *Content.* The following information must be included to insure effective action on the request:

(1) *Description of the record.* Requesters should specify the number of pages and documents, the titles of the documents, form numbers if there are any, dates on the documents and names of individuals who signed them. Any reasonable description of the document is acceptable.

(2) *Description of the items to be amended.* The description of the passages, pages or documents to be amended should be as clear and specific as possible.

(i) Page, line and paragraph numbers should be cited where they exist.

(ii) A direct quotation of all or a portion of the passage may be made if it isn't otherwise easily identifiable. If the passage is long, a quotation of its beginning and end will suffice.

(iii) In appropriate cases, a simple substantive request may be appropriate, e.g., "delete all references to my alleged arrest in July 1970."

(iv) If the requester has received a copy of the record, he may submit an annotated copy of documents he wishes amended.

(3) *Type of amendment.* The requester must clearly state the type of amendment he is requesting.

(i) Deletion or expungement, i.e., a complete removal from the record of data, sentences, passages, paragraphs or documents.

(ii) Correction of the information in the record to make it more accurate, e.g., rectify mistaken identities, dates, data pertaining to the individual, etc.

(iii) Additions to make the record more relevant, accurate or timely may be requested.

(iv) Other changes may be requested; they must be specifically and clearly described.

(4) *Reason for amendment.* Requests for amendment must be based on specific reasons, included in writing. Categories of reasons are as follows:

(i) *Accuracy.* Amendment may be requested where matters of fact are believed incorrectly recorded, e.g., dates,